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BY HAND

MUR # 5384

August 26, 2003

Roscoe C. Howard, Jr.
United States Attorney for the District of Columbia
District of Columbia
Judiciary Center
555 Fourth Street, N.W.
Washington, D.C. 20530

Re: Gephardt for President, Inc.

Dear Mr. Howard:

My firm is counsel to Gephardt for President, Inc. (the "Committee"), which is the principal campaign committee for Congressman Richard A. Gephardt as he runs for President of the United States. The Committee recently received information indicating that a corporation said to be called Never Stop Dreaming, Inc. may be misrepresenting itself as acting on its behalf.

Specifically, staff for the National Museum of Women in the Arts recently contacted the Committee regarding correspondence it had received from Bill Baulding of Never Stop Dreaming, Inc. Apparently, Mr. Baulding had hired the museum on the Committee's behalf to host a fundraiser for it:

- On June 20, Mr. Baulding described himself as having "just got off the phone with Jane Gephardt" and said that checks to pay for the event "will originate from the Gephardt campaign ..."
- On June 28, Mr. Baulding informed the museum that "the invitation order has been sent to the House of Representatives printing office and we've requested a copy of the guest list from the campaign."

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- On July 10, Jade Newhart, described as a director of Never Stop Dreaming, Inc., executed an agreement with the Museum to rent its facilities for the event.
- On August 5, apparently after being informed by the museum that it had not received payment for the event, Mr. Baulding said that "Jade just got off the phone with Dick Gephardt. The comptroller for the campaign, Gloria Stienhim, [sic] is going to look into the matter immediately."

See Attachments. We have asked the Committee's permanent staff whether they, Congressman Gephardt or his wife Jane Gephardt were aware of the activities or individuals reflected in this correspondence, and we have been told that they were not.

As recently amended by Congress, the Federal Election Campaign Act prohibits any person from fraudulently misrepresenting himself or herself "as speaking, writing, or otherwise acting for or on behalf of any candidate ... for the purpose of soliciting contributions or donations ..." 2 U.S.C. § 441h(b) (2003). The attached correspondence suggests potential violations of this statute, and perhaps of others also.

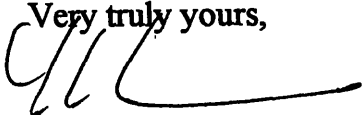
To protect the Committee's interests and those of the public, we forward this matter for your prompt review. Please do not hesitate to contact me directly should you need further information.

Roscoe C. Howard, Jr.

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Very truly yours,

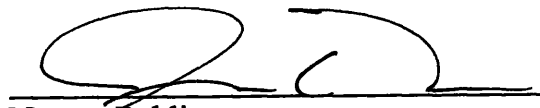


Robert F. Bauer

Counsel to Gephardt for President, Inc.

DISTRICT OF COLUMBIA

SUBSCRIBED AND SWORN to before me this 28 day of August, 2003.


Notary Public

My Commission Expires:

JORGE E. ROSITO
Notary Public, District Of Columbia
My Commission Expires May 31, 2006

Attachments

cc:

Lawrence M. Norton, General Counsel, Federal Election Commission
NEVRSTOPDREAMNG@aol.com (via electronic mail)

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